



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VI
1201 ELM STREET
DALLAS, TEXAS 75270

Mr. Thomas Dardas, President
Detox Industries, Inc.
12919 Dairy - Ashford
Sugarland, Texas 77478

Dear Mr. Dardas:

TXD 065 103327

In our meeting of July 24, 1986, you made several comments regarding the relationship between Detox Industries Inc., and the Environmental Protection Agency (EPA). I wish to take this opportunity to respond to your concerns.

Your first concern involved the lack of serious consideration given by EPA to the application of your technology as a remedy for the Geneva Industries site in Houston, Texas. Biodegradation was considered in the feasibility study and eliminated because of site limitations. Very little space exists at the site for stockpiling and treatment of contaminated soil that would be required under any biodegradation process. In addition, differing soil types and wastes at the site would continually disrupt microbial activity.

You previously expressed your concern with respect to conversations my staff had with Mr. Thomas Soderman of Bath Electrical Systems, Inc., (BES). We have searched our files for any communication concerning the treatment of the soil remaining in storage on the BES facility. We have found that Mr. Soderman, President of BES, briefly discussed the subject of disposal with the On-Scene Coordinator (OSC), Mary Ellen Crowley, on December 31, 1985. The biodegradation process was mentioned by Mr. Soderman but the OSC said that she did not believe the process was applicable to this situation. The OSC's statement was based on her first hand observations of the BES facility that there did not appear to be adequate space to conduct the landfarming process. The OSC never discussed Detox Industries, Inc. during the December 31, 1985 conversation, or any other discussions with Mr. Soderman, nor, to her knowledge, had she ever heard of Detox Industries, Inc. until the receipt of your letter.

You also felt that IT Corporation and ERT, the contractors involved in the Geneva feasibility study, eliminated biotreatment from consideration in order to extend their involvement at the site. As you know, I have directed the appropriate people to investigate this specific concern. On our procedures, however, in developing the feasibility study, both EPA and the Texas Water Commission met with the contractors several times to review and discuss the progress and content of the study. These meetings are held prior to each screening stage in the study. Contractors are not

90072411



the consultants to reject or accept remedial alternatives for Superfund feasibility, and technical applicability, as set forth in the National Contingency Plan, are met. Furthermore, it is not the responsibility of the consultants to reject or accept remedial alternatives for Superfund sites. That function lies solely with the State and EPA.

With regard to your belief that EPA may be promoting a bias against your company, I have checked into your concern. My staff has talked with the Office of Research and Development (ORD) in Cincinnati, Ohio and based on these conversations and memoranda provided to Dr. Allyn M. Davis by ORD, it would appear your fears are unfounded. In fact, EPA's intention is to promote, not defeat emerging technologies. I think the willingness we exhibited at our meeting to provide you information on possible business contacts and the enrollment into the Superfund Innovative Technologies Evaluation Program (SITE) expresses our keen interest in obtaining participation from innovative technologies in the Superfund and RCRA programs.

If you elect to participate in the next SITE Request for Proposals which will be advertised this fall in the Commerce Business Daily, ORD has assured us that your proposal will be given careful consideration. A panel composed of reviewers from several EPA offices will evaluate all proposals based on technical factors, capability of the developer, and approach to testing. No bias will be shown toward any proposal by the panel.

With respect to your comments toward the Hathaway Patterson site, it is our intention to work with the State to investigate any unauthorized releases of contaminants into the environment from this site. If you should have any further information concerning this matter, please notify us.

If you should have questions concerning the SITE program you may call Stephen James (513) 569-7877 with ORD. Questions regarding Superfund and RCRA within our Region should be addressed to Carl Edlund at (214) 767-2730 or Sam Becker at (214) 767-2645.

Sincerely yours,

Dick Whittington, P.E.
Regional Administrator

cc: Clyde Dial
Office of Research and Development